



PATENT
ATTORNEY DOCKET NO.: 040894-5755

RCE
TFC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Goro NAKATANI et al.

Application No.: 10/043,276

Filed: January 14, 2003

For: SEMICONDUCTOR DEVICE AND
METHOD FOR MANUFACTURING
THE SAME

) Confirmation No.: 4701

) Group Art Unit: 2811

) Examiner: Junghwa M. Im

) **Mail Stop RCE**

Commissioner for Patents

Mail Stop RCE

U.S. Patent and Trademark Office

Alexandria, VA 22313-1450

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- Previously submitted:
- Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (Any un-entered amendment(s) referred to above will be entered).
- Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- Enclosed:
- Supplemental Reply
- Affidavit(s)/Declaration(s)
- Information Disclosure Statement Under 37 C.F.R. § 1.97(b)
- PTO Form 1449
- Other: Amendment for Entry with RCE Filing.

05/29/2008 SZEWDIE1 00000034 500310 10043276

01 FC:1801 810.00 DA
02 FC:1251 120.00 DA

2. Miscellaneous

- Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- Other: _____.

3. Fees Calculation

- (a) RCE Fee required under 37 C.F.R. § 1.17(e)
- | | |
|-------------------------------------|-----------------------------|
| <input checked="" type="checkbox"/> | \$810.00 |
| <input type="checkbox"/> | \$405.00 (for small entity) |

(b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	11	minus	20	0	x \$50 each =	+ \$00.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$210 each =	+ \$00.00
[] First presentation of Multiple dependent claim(s)					\$370.00	+ \$00.00
SUB-TOTAL =						\$00.00
Reduction by ½ for filing by a small entity						- \$00.00
TOTAL FEE =						\$00.00

(c) Extension of Time

- Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months <u>Requested</u>	Fee for <u>Extension</u>	Fee for Small Entity
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

The extension of time fee due with this request is: \$120.00.

- An extension of time fee of \$_____ has been previously submitted in the Response filed _____. Accordingly, the extension of time fee is deducted from the total extension of time fee.
- If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- Enclosed is a check in the amount of \$_____.
- The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of \$930.00, representing \$810.00 for the RCE filing fee and \$120.00 for the one-month extension of time fee.

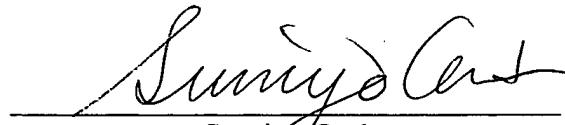
- EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: May 28, 2008

By:



Sumijo Onda
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